

DEC 20 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ward, Jonathan

Group Art Unit: 2643

Application No. 10/669,923

Examiner: Binh Kien Tieu

Filed: September 24, 2003

Title: "Methods and Systems for Billing and Routing Local Toll-Free Calls"

VIA FACSIMILE 703-872-9306

TC2600, Before Final

Attn: Examiner Binh Kien Tieu

37 C.F.R. § 1.8 CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on: December 20, 2004 (date of transmission).

Bambi F. Walters

Name of Person Faxing This Paper

Bambi F. Walters

Signature

December 20, 2004

Date of Transmission

**TERMINAL DISCLAIMER IN RESPONSE TO
SEPTEMBER 22, 2004 OFFICE ACTION**

This Terminal Disclaimer is filed in response to the Office Action mailed on September 22, 2004, and it is believed to place the above-identified Application in condition for allowance.

Assignee responds as follows:

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U.S. Application No. 10/669,923 Examiner Tieu, Art Unit 2643
Terminal Disclaimer in Response to September 22, 2004 Office Action

Terminal Disclaimer to Overcome Obviousness-Type Double Patenting Rejection

The Office rejected claims 1-18 under the judicially-created doctrine of obviousness-type double patenting. This application has been rejected under the judicially-created doctrine of obviousness-type double patenting of the claims in U.S. Patent No. 6,654,451. As Examiner Tieu suggests, a terminal disclaimer in accordance with 37 C.F.R. § 1.321 (c) may overcome this rejection. Although the Assignee believes that claims 1-18 are patentably distinct, a terminal disclaimer will not affect the term of this continuation application. The Assignee, then, submits the following terminal disclaimer to advance this case to issuance.

- 1) The Assignee hereby disclaims any term that extends beyond twenty (20) years from the earliest filing date.
- 2) The Assignee, BellSouth Intellectual Property Corporation, is the owner of the entire interest in any patent that grants from U.S. Patent No. 6,654,451.
- 3) The required 37 C.F.R. § 1.20 (d) fee of \$130 is included with this response.
- 4) This response, and thus this terminal disclaimer, is signed by the attorney of record, Bambi F. Walters.
- 5) Any patent that grants from this application (U.S. Application 10/669,923) shall be enforceable only for and during such period that said patent is commonly owned with the U.S. Patent 6,654,451 that forms the basis for this obviousness-type double patenting rejection.

CONCLUSION

The Examiner's rejection has been overcome. Therefore, Applicant respectfully solicits a Notice of Allowance for all pending claims.(claims 1-18).